

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Atlantic Casualty Insurance Company, :
: Plaintiff, : Case No. 1:18-cv-00776
: vs. : Judge Michael R. Barrett
: Kenneth Rutz :
: d/b/a :
: Zappz Sports Bar, et al., :
: Defendants. :

ORDER

This matter is before the Court on Defendants Kenneth Rutz's, d/b/a Zappz Sports Bar, and Dakota Boeppler's Motion to Stay Civil Proceedings and Discovery Until Resolution of Pending Criminal Investigation (Doc. 16). Defendants Rutz and Boeppler request that the Court stay proceedings and discovery in this matter "until the resolution of Bradley Pauley's criminal case in Hamilton County Ohio Court of Common Pleas" (*Id.*).

Although such matters are within the Court's discretion, the Court notes that a party filing a "motion to which other parties might reasonably be expected to give their consent . . . shall comply with the procedure set forth in S.D. Ohio Civ. R. 7.3(a) before filing such motion" *i.e.*, "shall consult with all parties . . . whose interests might be affected by the granting of such relief and solicit their consent" and state the results of that consultation in their motion. S.D. Ohio Civ. R. 7.3. Defendants Rutz and Boeppler failed to do so. However, neither Plaintiff nor the remaining Defendants filed Responses and the time to do so has passed. See S.D. Ohio Civ. R. 7.2(a)(2).

For good cause shown, and the reasons stated therein, Defendants' Rutz and Boeppler Motion (Doc. 16) is **GRANTED** and this matter is **STAYED**.¹ The parties shall notify the Court within seven (7) days of the Hamilton County Ohio Court of Common Pleas' decision.

IT IS SO ORDERED.

s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court

¹ This stay includes the parties' responsibilities regarding the Rule 26(f) Report deadline. See Standing Order on Civil Procedures, Michael R. Barrett, I.A.